

## **REMARKS**

The Office Action mailed September 25, 2006 has been thoroughly reviewed. In response, Applicants submit the attached Terminal Disclaimer along with this Request for Reconsideration.

Claims 1-14, 16, and 18-58 are currently pending in the application and subject to examination.

### **Obviousness-type Double Patenting**

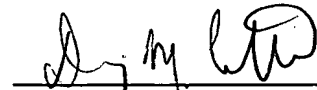
All pending claims are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 6-10 of U.S. Patent No. 6,878,695 (the '695 patent) in view of U.S. Patent No. 5,942,217 and U.S. Patent No. 5,879,666.

Applicants maintain that the instant claims are patentably distinguishable over this combination, but, in order to expedite prosecution and allowance, Applicants submit the attached Terminal Disclaimer in compliance with 37 CFR § 1.321 (c) or (d), which acts to overcome the nonstatutory double patenting rejection in view of the Statement of Common Ownership that was submitted during prosecution of this application on June 27, 2006. Accordingly, the double patenting rejection has been overcome and reconsideration is respectfully requested.

Applicants believe this to be a complete and comprehensive response to the September 25, 2006 Office Action. Hence, reconsideration and allowance of claims 1-14, 16, and 18-58 is respectfully requested.

Respectfully submitted,

By: \_\_\_\_\_



Denise M. Everett

Registration No.

Attorney for Applicant(s) 47,552

DINSMORE & SHOHL LLP

1900 Chemed Center

255 East Fifth Street

Cincinnati, Ohio 45202

(513) 977-8787